

IN THE MATTER OF THE  
THE APPLICATION OF  
HEROS MORAVIAN  
FOR VARIANCE ON PROPERTY  
LOCATED ON THE WEST SIDE  
BLAKEFIELD CIRCLE & RIDGELY  
ROAD (1818 BLAKEFIELD CIRCLE)  
8TH ELECTION DISTRICT  
3RD COUNCILMANIC DISTRICT

\* BEFORE THE  
\* COUNTY BOARD OF APPEALS  
\* OF  
\* BALTIMORE COUNTY  
\* CASE NO. 92-123-A

**OPINION**

Heros Moravian seeks by this Petition a variance from the Baltimore County Zoning Regulations (BCZR) which require a 50-foot rear yard setback in order to allow him to build a proposed new family room as an addition to his existing home. The Board heard testimony from Mr. Moravian in support of his petition and received exhibits from him. The Valley Garth Association appeared by and through their Counsel, Kenneth Pezulla, and through Donald W. Doyle presented its Rule 8 materials and a resolution stating in effect its opposition to the variance. The Board also heard from Peter Downes who lives on the property abutting the Petitioner's property. From the testimony and evidence, we find the facts as follows.

Mr. Moravian proposes to add a family room that is approximately 25 feet by 25 feet, abutting his existing garage adjoining the corner of his house at the kitchen. He believes it necessary to construct a new family room since he feels that the existing family room receives too much sunlight, becomes hot and thus is unusable. He proposes the new family room at this location since he feels that it will not disturb the flow, in an architectural sense, of the rest of the house. He testified that he could not place it at the opposite end of the dwelling since it

Case No. 92-123-A Heros Moravian

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would be adjacent to the bedrooms and therefore undesirable.

The evidence revealed that Mr. Moravian purchased his home in 1983 with the existing family room in the same location and with the same windows, doors and amount of heat and light as it presently possesses. Recorded covenants in the Valley Garth Association require a 50-foot setback in the rear yard as does the BCZR, and also require submission of plans for approval to the architectural committee of that Association. The testimony is undisputed and therefore we find as a fact that the proposed addition would be built within the 50-foot setback, thereby requiring a variance.

In order to grant a variance, Petitioner must meet the test contained in McLean v. Soley, 270 Md. 216 (1973) which establishes the following criteria for determining practical difficulty or unreasonable hardship:

- 1) Whether compliance with the strict letter of the restrictions governing various variances would unreasonably prevent the owner from using the property for a permitted purpose or would render conformity with such restrictions unnecessarily burdensome.
- 2) Whether a grant of the variance applied for would do substantial justice to the applicant as well as to other property owners in the district, or whether a lesser relaxation than that applied for would give substantial relief to the owner of the property involved and be more consistent with justice to other property owners.
- 3) Whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

We find as a fact that Mr. Moravian's concerns regarding the existing family room and his reasons for constructing the proposed new family room within the 50-foot setback do not amount to undue

Case No. 92-123-A Heros Moravian

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hardship or practical difficulty, and therefore we shall deny the variance.

**ORDER**

IT IS THEREFORE this 13th day of August, 1992 by the County Board of Appeals of Baltimore County

ORDERED that the Petition for Variance to permit a rear yard setback of 25 feet in lieu of the required 50 feet be and is hereby DENIED.

Any appeal from this decision must be made in accordance with Rules B-1 through B-13 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS  
OF BALTIMORE COUNTY

*William T. Hackett*  
William T. Hackett, Chairman

*C. William Clark*  
C. William Clark

*John G. Disney*  
John G. Disney

IN RE: PETITION FOR ZONING VARIANCE \* BEFORE THE  
W/S Blakefield Circle, SMC \* ZONING COMMISSIONER  
1818 Blakefield Circle \*  
8th Election District \* OF BALTIMORE COUNTY  
3rd Councilmanic \* Case No. 92-123-A  
Heros Moravian, et al  
Petitioners \*

**FINDINGS OF FACT AND CONCLUSIONS OF LAW**

This matter comes before the Zoning Commissioner as a Petition for Variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow a rear yard setback of 25 ft. in lieu of the required 50 ft. in a D.R.1 zone, as more particularly described on Petitioners' Exhibit No. 1.

The Petitioner, Heros Moravian, appeared and testified. Appearing as Protestants were Frank Kruse, President of the Valley Garth Improvement Association, Kenneth Pezulla, an attorney and resident of the subject locale, and Peter R. Downes, an immediate neighbor of the subject property.

The Petitioner, Heros Moravian, testified that he lives at the subject property, known as 1818 Blakefield Circle in Timonium. The existing lot is improved with a single family house, as shown on the site plan. Mr. Moravian proposes to add an addition to the rear of the property. The addition will be 25 x 25 ft. in dimension and will be located within 25 ft. of the property line. Thus, the need for the variance.

The Petitioner also testified that he is an Aerospace Consultant and works out of his home. However, he indicated that the addition was not intended to be used for his business but to expand the living quarters of the house. He indicated that his occupation generates minimal traffic to

the site. In fact, he can remember only four visitors visiting the property within the past years in connection with his business. He further opined that the expansion should be placed where proposed so as to maintain a uniform appearance to the house.

In opposition to the Petition, Mr. Kruse of the Valley Garth Community Association testified. He pointed out that the association has restrictive covenants which govern improvements to the homes within this community such as proposed in this case. As I noted at the hearing, my authority is only to interpret the Petition for Variance, in accordance with the Baltimore County Zoning Regulations. Matters such as permissibility of construction pursuant to a restrictive covenant do not come within my scope of review.

Mr. Kruse testified that, although he has no great objection to the requested improvement, he fears a proliferation of additions if the present Petition is granted.

Mr. Downes, the immediate next door neighbor, also testified in opposition to the Petition. He objects to the closeness of the proposed addition to this property line. Although he admitted that there is landscaping which would buffer the addition during the Summer, he feels that it would be plainly visible from his property in the Winter.

Mr. Pezulla also noted his objections as counsel and resident for the reasons set forth by Messrs. Kruse and Downes.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the proper-

ty for a permitted purpose or render conformance unnecessarily burdensome;

2) whether the grant would do substantial injustice to applicant as well as to other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and

3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

In reviewing the evidence, there is insufficient evidence to allow a finding that the Petitioner would experience practical difficulty or unreasonable hardship if the requested variance was denied. The testimony presented by the Petitioner was in support of a matter of a preference rather than of the necessity for the variance. The Petitioner has failed to show that compliance would unreasonably prevent the use of the property or be unnecessarily burdensome. Therefore, the variance requested must be denied.

In reviewing the site plan, I am not convinced that the proposed expansion cannot be located elsewhere on the property at a location which would not require a variance.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be denied.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 21st day of January, 1992 that, pursuant to Petition for Zoning Variance, a variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow a rear yard setback of 25 ft. in

lieu of the required 50 ft. in a D.R.1 zone, in accordance with Petitioners' Exhibit No. 1, be and is hereby DENIED.

*Lawrence E. Schmidt*  
Lawrence E. Schmidt  
Zoning Commissioner  
for Baltimore County

LES:mmn

Suite 113, Courthouse  
400 Washington Avenue  
Towson, MD 21204

(410) 887-4386

January 31, 1992

Mr. Heros Moravian  
1818 Blakefield Circle  
Timonium, Maryland 21093

RE: Case No. 92-123-A  
Petition for Zoning Variance

Dear Mr. Moravian:

Enclosed please find the decision rendered in the above captioned case. The Petition for Zoning Variance has been denied, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,  
*Lawrence E. Schmidt*  
Lawrence E. Schmidt  
Zoning Commissioner

LES:mmn  
att.





Baltimore County Government  
Office of Zoning Administration  
and Development Management  
Office of Planning & Zoning

111 West Chesapeake Avenue  
Towson, MD 21204

887-3353

NOVEMBER 28, 1991

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 118, Baltimore County Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 92-123-A  
W/S Blakefield Circle, SMC Blakefield Circle & Ridgely Road  
1818 Blakefield Circle  
9th Election District - 3rd Councilmanic  
Petitioner(s): Heros Noravian and Emma Zargarian  
HEARING: MONDAY, NOVEMBER 25, 1991 at 9:00 a.m.

Variance to allow a rear setback of 25 ft. in lieu of the required 50 ft.

*Arnold Jablon*  
Arnold Jablon  
Director

cc: Heros Noravian and Emma Zargarian  
David W. Doyle

Baltimore County Government  
Office of Zoning Administration  
and Development Management  
Office of Planning & Zoning

111 West Chesapeake Avenue  
Towson, MD 21204

887-3353

NOVEMBER 8, 1991

NOTICE OF POSTPONEMENT

CASE NUMBER: 92-123-A  
LEGAL OWNER(s): Noravian and Zargarian  
LOCATION: 1818 Blakefield Circle

THE ABOVE MATTER, PREVIOUSLY ASSIGNED TO HEARD ON MONDAY, NOVEMBER 25, 1991, HAS BEEN POSTPONED AT THE REQUEST OF HEROS NORAVIAN.

NOTIFICATION OF THE NEW HEARING DATE WILL BE FORWARDED SHORTLY.

*Arnold Jablon*  
Arnold Jablon  
Director

cc: Donald W. Doyle

Baltimore County Government  
Office of Zoning Administration  
and Development Management  
Office of Planning & Zoning

111 West Chesapeake Avenue  
Towson, MD 21204

887-3353

NOTICE OF NEW HEARING DATE

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 118, Baltimore County Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 92-123-A  
W/S Blakefield Circle, SMC Blakefield Circle & Ridgely Road  
1818 Blakefield Circle  
9th Election District - 3rd Councilmanic  
Petitioner(s): Heros Noravian and Emma Zargarian  
HEARING: TUESDAY, DECEMBER 3, 1991 at 9:00 a.m.

Variance to allow a rear setback of 25 ft. in lieu of the required 50 ft.

*Arnold Jablon*  
Arnold Jablon  
Director

cc: Noravian and Zargarian  
Donald W. Doyle

Baltimore County Government  
Office of Zoning Administration  
and Development Management  
Office of Planning & Zoning

111 West Chesapeake Avenue  
Towson, MD 21204

887-3353

Re: CASE NUMBER: 92-123-A  
LOCATION: W/S Blake Field Circle, SMC Blakefield Circle and Ridgely Road  
1818 Blake Field Circle

Dear Petitioner(s):

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Any contact made with this office should reference the case number. This letter also serves as a refresher regarding the administrative process.

1) Your property will be posted on or before October 6, 1991. The closing date is October 21, 1991. The closing date is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. At that time, an Order will issue. This Order may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reported and notice of the hearing will appear in two local newspapers. Charges related to the reporting and advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$50.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW AND THE DECISION MAKING PROCESS. WHEN THE ORDER IS READY IT WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION PRIOR TO BEING MAILED TO YOU.

Very truly yours,

G. G. Stephens  
(301) 887-3391

COPY

Baltimore County Government  
Office of Zoning Administration  
and Development Management  
Office of Planning & Zoning

111 West Chesapeake Avenue  
Towson, MD 21204

887-3353

November 8, 1991

Mr. & Mrs. Heros Noravian  
1818 Blakefield Circle  
Timonium, MD 21093

RE: Item No. 137, Case No. 92-123-A  
Petitioner: Heros Noravian, et ux  
Petition for Residential Variance

Dear Mr. & Mrs. Noravian:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a review by Zoning personnel.

Baltimore County Government  
Office of Zoning Administration  
and Development Management  
Office of Planning & Zoning

111 West Chesapeake Avenue  
Towson, MD 21204

887-3353

Zoning Plans Advisory Committee Comments  
Date: November 8, 1991  
Page 2

2) Anyone using this system should be fully aware that they are responsible for the accuracy and completeness of any such petition. All petitions filed in this manner will be reviewed and commented on by Zoning personnel prior to the hearing. In the event that the petition has not been filed correctly, there is always a possibility that another hearing will be required or the Zoning Commissioner will deny the petition due to errors or incompleteness.

3) Attorneys and/or engineers who make appointments to file petitions on a regular basis and fail to keep the appointment without a 72 hour notice will be required to submit the appropriate filing fee at the time future appointments are made. Failure to keep these appointments without proper advance notice, i.e. 72 hours, will result in the loss of filing fee.

Very truly yours,  
*James E. Dyer*  
JAMES E. DYER  
Chairman  
Zoning Plans Advisory Committee

JED:jw

Enclosures

Baltimore County Government  
Office of Zoning Administration  
and Development Management  
Office of Planning & Zoning

111 West Chesapeake Avenue  
Towson, MD 21204

887-3353

Your petition has been received and accepted for filing this 25th day of October, 1991.

*Arnold Jablon*  
ARNOLD JABLON  
DIRECTOR

Received By:  
*James E. Dyer*  
Chairman,  
Zoning Plans Advisory Committee

Petitioner: Heros Noravian, et ux  
Petitioner's Attorney:

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Zoning Administration and  
Development Management

DATE: September 27, 1991

FROM: Pat Keller, Deputy Director  
Office of Planning and Zoning

SUBJECT: Romano Property, Item No. 127  
Cochran Property, Item No. 129  
Panagiotou Property, Item No. 130  
Cernak Property, Item No. 135  
Noravian Property, Item No. 137  
Frantz Property, Item No. 138  
Sedlak Property, Item No. 140  
Smoot Property, Item No. 141

In reference to the Petitioner's request, staff offers no comments.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/rdn

ITEMS127/TKTROZ

BUREAU OF TRAFFIC ENGINEERING  
DEPARTMENT OF PUBLIC WORKS  
BALTIMORE COUNTY, MARYLAND

DATE: October 18, 1991

TO: Mr. Arnold Jablon, Director  
Office of Zoning Administration  
and Development Management

FROM: Rahee J. Famili

SUBJECT: Z.A.C. Comments

Z.A.C. MEETING DATE: October 1, 1991

ITEM NUMBER: 137

It is recommended that two of the existing three driveways be eliminated.

*Rahee J. Famili*  
Rahee J. Famili  
Traffic Engineer II

BJP/lvd

Baltimore County Government  
Fire Department

700 East Joppa Road, Suite 901  
Towson, MD 21204-5500

(301) 887-4500

OCTOBER 1, 1991

Arnold Jablon  
Director  
Zoning Administration and  
Development Management  
Baltimore County Office Building  
Towson, MD 21204

RE: Property Owner: HEROS NORAVIAN  
Location: #1818 BLAKEFIELD CIRCLE  
Item No.: 137 Zoning Agenda: OCTOBER 1, 1991

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time.

REVIEWED: *[Signature]* Noted and Approved: *[Signature]*  
Planning Group Fire Prevention Bureau  
Special Inspection Division

JF/REY

BALTIMORE COUNTY, MARYLAND  
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: September 27, 1991  
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting  
for October 1, 1991

The Development Engineering Division has reviewed the subject zoning items and we have no comments for Items 127, 129, 130, 131, 132, 133, 135, 137, 138, 139, 140 and 141.

For Item 134, this subdivision is okay, with no comments needed.

For Item 136, the comments are reserved until the County Review Group plan is submitted. However, sideyard setback dimensions may change as a result of the County Review Group comments.

*Robert W. Bowling*  
ROBERT W. BOWLING, P.E.  
Development Engineering Division

RWB:R

Baltimore County Government  
Office of Zoning Administration  
and Development Management  
Office of Planning & Zoning

111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

March 16, 1992

Baltimore County Board of Appeals  
County Office Building, Room 315  
Towson, Maryland 21204

RE: Petition for Zoning Variance  
W/S Blakefield Circle, SMC Blakefield Circle & Ridgely Road  
(1818 Blakefield Circle)  
8th Election District, 3rd Councilmanic District  
HEROS NORAVIAN, ET AL - Petitioner  
Case No. 92-123-A

Dear Board:

Please be advised that an appeal of the above-referenced case was filed in this office on February 27, 1992 by Heros Noravian, Petitioner. All materials relative to the case are being forwarded herewith.

Please notify all parties to the case of the date and time of the appeal hearing when it has been scheduled. If you have any questions concerning this matter, please do not hesitate to contact this office.

Very truly yours,

*[Signature]*  
Zoning Commissioner

LES:cer

Enclosures

cc: Heros Noravian - 1818 Blakefield Circle, Timonium, MD 21093  
Frank Kruse - Valley Garth Improvement Association  
Kenneth Pezulla - 401 Washington Ave., Suite 301, Balto., MD 21204  
Peter R. Downes - 317 Ridgely Road, Timonium, MD 21093  
People's Counsel of Baltimore County  
Rm. 304, County Office Bldg., Towson, Md. 21204  
File

APPEAL

Petition for Zoning Variance  
W/S Blakefield Circle, SMC Blakefield Circle & Ridgely Road  
(1818 Blakefield Circle)  
8th Election District - 3rd Councilmanic District  
HEROS NORAVIAN - Petitioner  
Case No. 92-123-A

Petition(s) for Zoning Variance

Description of Property

Certificate of Posting

Certificate of Publication

Entry of Appearance of People's Counsel (None submitted)

Zoning Plans Advisory Committee Comments

Director of Planning & Zoning Comments (Included with ZAC Comments)

Petitioner's & Protestant's Sign-In Sheet

Petitioner's Exhibits: 1. Plat to accompany Petition

2. Photographs of site

3. & 4. - Design Drawings

5. Letter from H. Noravian

Protestant's Exhibits: 1. Letter from Valley Garth Assoc.

Zoning Commissioner's Order dated January 31, 1992 (Denied)

Notice of Appeal received February 27, 1992 from Heros Noravian, Petitioner

cc: Heros Noravian - 1818 Blakefield Circle, Timonium, MD 21093

Frank Kruse - Valley Garth Improvement Association  
320 Ridgely Road, Timonium, MD 21093

Kenneth Pezulla - 401 Washington Ave., Suite 301, Balto., MD 21204

Peter R. Downes - 317 Ridgely Road, Timonium, MD 21093

People's Counsel of Baltimore County  
Rm. 304, County Office Bldg., Towson, Md. 21204

Request Notification: P. David Fields, Director of Planning & Zoning  
Patrick Keller, Office of Planning & Zoning  
Lawrence E. Schmidt, Zoning Commissioner  
Timothy M. Kotroco, Deputy Zoning Commissioner  
James E. Dyer, Zoning Supervisor  
W. Carl Richards, Jr., Zoning Coordinator  
Docket Clerk  
Arnold Jablon, Director of Zoning Administration  
and Development Management  
Public Services

Baltimore County Government  
Office of Zoning Administration  
and Development Management  
Office of Planning & Zoning

111 West Chesapeake Avenue  
Towson, MD 21204

887-3353

October 21, 1991

Heros Noravian and Emma Zargarian  
1818 Blakefield Circle  
Timonium, Maryland 21093

Re: CASE NUMBER: 92-123-A

Dear Petitioners:

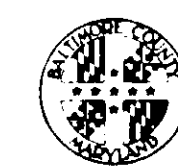
A formal REQUEST FOR PUBLIC HEARING has been filed in your case.

As you recall, this matter must now go through the regular hearing process; the property must be reposted and notice of the hearing will be placed in two local newspapers. You will be billed for these advertising costs.

Formal notification of the hearing date will be forwarded to you shortly.

Very truly yours,

Zoning Commissioner  
Baltimore County, Maryland



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49  
400 WASHINGTON AVENUE  
TOWSON, MARYLAND 21204

Hearing Room -  
Room 48, Old Courthouse  
400 Washington Avenue  
(410) 887-3180  
May 11, 1992

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH RULE 2(b). NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE UNLESS IN FULL COMPLIANCE WITH RULE 2(c), COUNTY COUNCIL BILL NO. 59-79.

CASE NO. 92-123-A

HEROS NORAVIAN  
W/s Blakefield Circle, SW/cor  
Blakefield Circle & Ridgely Road  
(1818 Blakefield Circle)  
8th Election District;  
3rd Councilmanic District

VAR-rear yard setback of 25' in lieu of 50'

1/31/92 - Z.C.'s Order DENYING Petition.

ASSIGNED FOR: THURSDAY, AUGUST 13, 1992 AT 10:00 a.m.

cc: Heros Noravian - Petitioner/Appellant

Frank Kruse - Valley Garth  
Impr. Assoc.

Mr. Kenneth Pezulla

Mr. Peter R. Downes

People's Counsel for Baltimore County  
P. David Fields  
Lawrence E. Schmidt  
Timothy M. Kotroco  
W. Carl Richards, Jr.  
Docket Clerk - Zoning  
Arnold Jablon, Director of Zoning  
Administration

LindaLee M. Kusmaul  
Legal Secretary

5/11/92 - Following parties notified of hearing set for August 13, 1992 at 10:00 a.m.:

Heros Noravian  
Frank Kruse - Valley Garth  
Impr. Assoc.  
Mr. Kenneth Pezulla  
Mr. Peter R. Downes  
People's Counsel for Baltimore County  
P. David Fields  
Lawrence E. Schmidt  
Timothy M. Kotroco  
W. Carl Richards, Jr.  
Docket Clerk - Zoning  
Arnold Jablon

REQUEST FOR HEARING

TO THE ZONING COMMISSIONER FOR BALTIMORE COUNTY:

Re: Case Number: 92-123-A  
Petitioner(s): HEROS NORAVIAN & EMMA ZARGARIAN  
Location: 1818 BLAKEFIELD CIRCLE, TIMONIUM, MD

I/WE, DAVID W. DOYLE & MARCEL DUYNE

Resident(s) (Type or Print)

(Legal Owners ( ) Residents, of

312 E. P. Dyer St.

Address

21093

City/Town/Village

which is located approximately 1000 feet from the

property which is the subject of the above petition, do hereby formally

request that a public hearing be set in this matter.

*[Signature]* 10-7-91  
Signature Date

Signature Date



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49  
400 WASHINGTON AVENUE  
TOWSON, MARYLAND 21204  
(410) 887-3180

August 13, 1992

Mr. Heros Noravian  
1818 Blakefield Circle  
Timonium, MD 21093

RE: Case No. 92-123-A  
Heros Noravian

Dear Mr. Noravian:

Enclosed please find a copy of the final Opinion and Order issued this date by the County Board of Appeals of Baltimore County in the subject matter.

Very truly yours,  
*Kathleen C. Weidenhammer*  
Kathleen C. Weidenhammer  
Administrative Assistant

encl.

cc: Kenneth Pezulla, Esquire  
Mr. Frank Kruse /Valley Garth  
Improvement Association  
Mr. Peter R. Downes  
People's Counsel for Baltimore County  
P. David Fields  
Lawrence E. Schmidt  
Timothy M. Kotroco  
W. Carl Richards, Jr.  
Docket Clerk - Zoning  
Arnold Jablon, Director of  
Zoning Administration

February 27, 1992

Mr. Lawrence E. Schmidt  
Zoning Commissioner of Baltimore County  
Office of Zoning Administration  
and Development Management  
111 West Chesapeake Avenue  
Towson, MD 21204

RE: CASE NUMBER: 92-123-A

Dear Mr. Schmidt:

This is in reference to your letter of January 31, 1992 in regard to the denial of our petition for zoning variance for our residence located at 1818 Blakefield Circle, Timonium, Maryland 21093.

We, hereby, appeal the re-examination of our above petition for the zoning variance.

Sincerely,

Heros Noravian

1818 Blakefield Circle  
Timonium, Maryland 21093

Tel: (410) 321-5710  
Fax: (410) 494-1575

October 30, 1991

Mr. Lawrence E. Schmidt  
Zoning Commissioner of Baltimore County  
Office of Zoning Administration  
and Development Management  
111 West Chesapeake Avenue  
Towson, MD 21204

RE: CASE NUMBER: 92-123-A

Dear Mr. Schmidt:

Due to circumstances beyond our control, we will not be able to attend the hearing on Monday, November 25, 1991 at 9:00 am. We will be on a business trip in the far east from November 8 through November 27th, 1991.

We hereby request a postponement on the hearing, Case Number 92-123-A. If possible, we request the hearing to be moved to Monday, December 2, 1991 or any day after that, except December 13, 1991.

Please advise us of your decision as soon as possible before we leave for our trip.

Sincerely,

Heros Noravian

1818 Blakefield Circle  
Timonium, Maryland 21093

Tel: (301) 321-5710  
Fax: (301) 494-1575



VALLEY GARTH ASSOCIATION

Lutherville-Timonium, MD 21093

October 18, 1991

Mr. Arnold Jablon  
Zoning Office - Balto. County  
County Office Building  
Room 113  
111 W. Chesapeake Ave.  
Towson, MD 21204

Re: Zoning Petition at 1818 Blakefield Circle,  
Lutherville, MD 21093 - Case No. 92-123-A

Dear Mr. Jablon:

The Valley Garth Association has been advised of a petition for a zoning variance by one of our residents (Mr. Heros Noravian and Ms. Emma Zargarian).

We have been unable to obtain adequate information in order to reach a conclusion on the acceptability of this proposed variance. We therefore request a hearing be scheduled in order to properly consider the proposed variance.

Sincerely,

*Donald W. Doyle*  
Donald W. Doyle  
Chairman  
Architectural Committee - VGA

DWD:kjy

PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

NAME

ADDRESS

*Peter R. Downes*

*317 Ridgely Rd.*

*Frank Kruse*

*Timonium MD 21093*

*Kenneth Pezulla*

*401 Washington Ave*

*Suite 301 21204*

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

*Heros Noravian*

*1818 BLAKEFIELD CIR*

*TIMONIUM, MD 21093*

VALLEY GARTH ASSOCIATION, INC.

RESOLVED: That at the scheduled meeting of the Valley Garth Association held on October 8, 1991, it was decided by the Association that responsibility for review and action on all zoning matters for the period October 1991 through October 1992 be placed in the Architectural Committee consisting of the following members:

Donald W. Doyle  
Peter Downes  
Kathleen M. Farno

RESOLVED: That at the scheduled meeting of the Valley Garth Association held on October 21, 1991, it was decided by the Association that Norbert Paskiewicz would serve as an additional member of the Architectural Committee in connection with any cases that came before the Architectural Committee where a member of the Architectural Committee may be a neighbor who is directly affected by the application of another homeowner in the Association.

AS WITNESS OUR HANDS AND SEAL THIS 28th day of July, 1992.

ATTEST:

VALLEY GARTH ASSOCIATION, INC.

*Kathleen D. Farno*  
Kathleen D. Farno  
Secretary

*Frank J. Kruse, Jr.*  
Frank J. Kruse, Jr.  
President

VALLEY GARTH ASSOCIATION

Lutherville-Timonium, MD 21093

October 18, 1991

Mr. Heros Noravian  
Ms. Emma Zargarian  
1818 Blakefield Circle  
Lutherville, MD 21093

Re: Your Petition for Zoning Variance

Dear Mr. Noravian & Ms. Zargarian:

The Architectural Committee of Valley Garth Association consisting of Kathleen Farno and myself met with you on Tuesday, October 15, to discuss your petition for a zoning variance with Baltimore County as stated on the sign posted on your lawn. We advised you that the residential restrictions for Valley Garth Association contain the following provisions.

No. 1 - Land Use and Occupancy

All lots in the subdivision of Valley Garth shall be used and improved solely for private owner-occupant single family residential use and occupancy and with no detached garages. No more than one house shall be erected on each lot and no lot may be further subdivided.

No. 5 - Building Setback Lines

No portion of any building erected, placed or altered on any building lot in Valley Garth (except open porches, bay windows and steps attached to such building) shall be erected, constructed or placed nearer to the lot line than the minimum front rear or side setback lines for such lot as shown on the recorded plat of Valley Garth and any and all subsequent amendments or revisions to any such plat.

No. 8 - Architectural and Improvements Control

No building, fence, wall, carport, driveway, sidewalk, initial site planning, grading or improvements of any kind shall be erected, placed or altered on any lot until the Architectural-Legal Review Committee for Valley Garth shall approve in writing all of the following:



1818 Blakefield Circle  
Timonium, MD 21093

92-123-A



**Plat to accompany Petition for Zoning Variance Special Hearing**

PROPERTY ADDRESS: 1818 Blakefield Circle, Timonium, MD see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: VALLEY GARTH

plat book # 23, folio # 113, lot # 2, section # 1

OWNER: Heros Noravian & Emma Zargarian

Scale of Drawing: 1" = 50'

North arrow pointing up.

date: 9.17.91

prepared by: H. NORAVIAN

**LOCATION INFORMATION**

Councilmanic District: 3

Election District: 8

1"=200' scale map: 13A, NE

Zoning: D.R. 1

Lot size: 1.3 acreage square feet

SEWER: ☒ public ☐ private

WATER: ☒ public ☐ private

Chesapeake Bay Critical Area: ☐ YES ☒ NO

Prior Zoning Hearings: NO

**Zoning Office USE ONLY!**

reviewed by: 5/100 ITEM #: 137 CASE#:

**Plat to accompany Petition for Zoning Variance Special Hearing**

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Chesapeake Bay Critical Area: ☐ YES ☒ NO

Prior Zoning Hearings: NO

**Zoning Office USE ONLY!**

reviewed by: 5/100 ITEM #: 137 CASE#:

ASE NUMBER 92-123-A

PETITIONER'S EXHIBIT # 137

1818 Blakefield Circle  
Timonium, Maryland 21093

1818 Blakefield Circle  
Timonium, Maryland 21093

1818 Blakefield Circle  
Timonium, Maryland 21093

1818 Blakefield Circle  
Timonium, Maryland 21093

*Handwritten notes: '137' and '13A NE' are visible on the top right of the exhibit page.*

Subject: Proposed Renovation Details For  
1818 Blakefield Circle  
Timonium, MD 21093

From: H. Noravian, Tel: 321-5710, Fax: 494-1575  
To: Valley Garth Association  
Architectural Committee

Date: October 16, 1991

The improvements stated below shall follow the rules and the regulations of the association as closely as possible. People who make the evaluation for this proposal should keep in mind that we do not intend to drop the value of our own property by the improvement as well as the value of the rest of the neighborhood. When finished, it will enhance the overall value of the houses in the association.

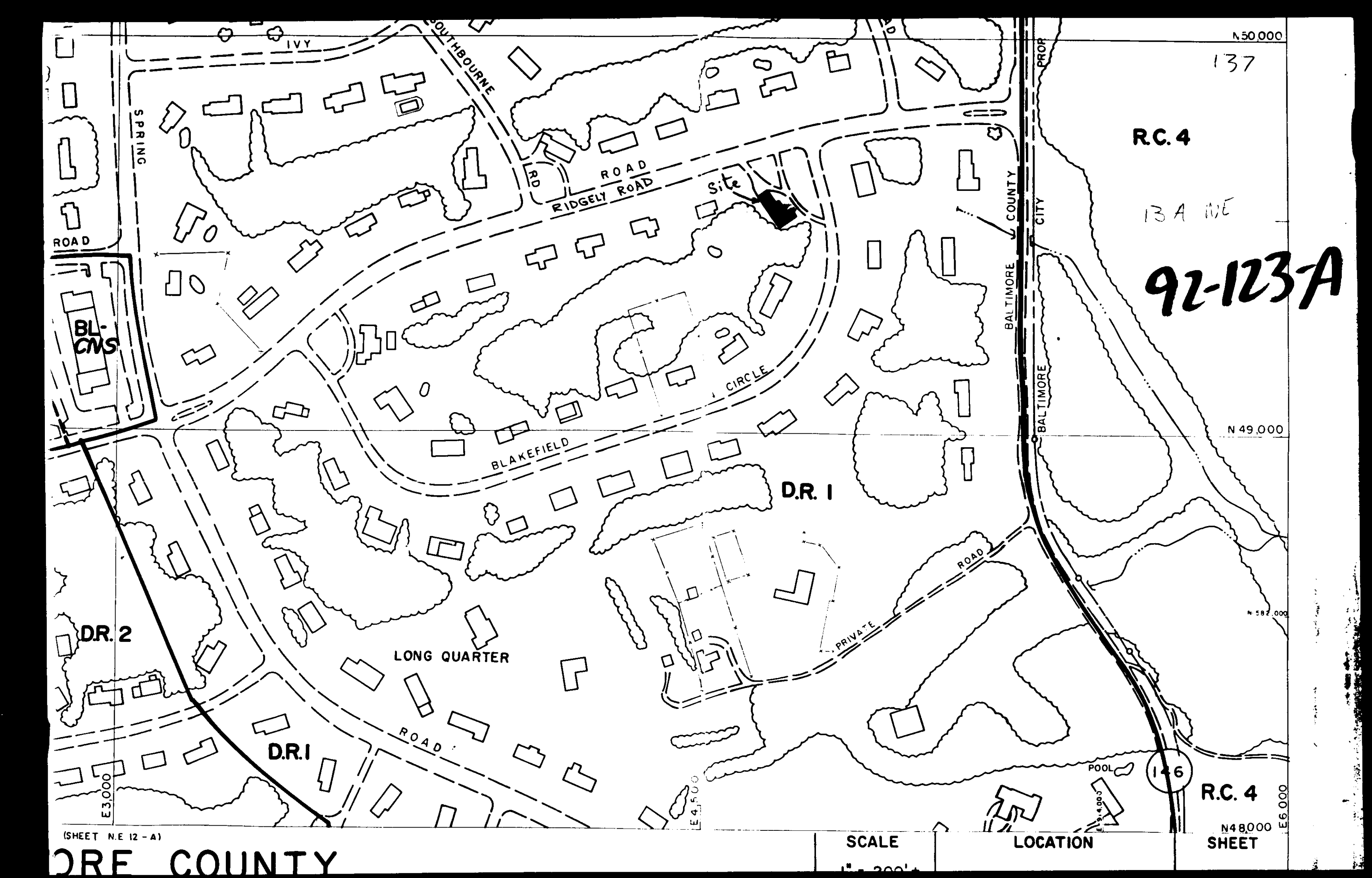
All materials used for the extension shall be identical in quality to the existing structures. For example, Andersen doors and windows shall be used throughout the new additions.

We feel that this description is clear enough to get our message across to the evaluators. However, in order to clarify further, we will prepare a set of sketches in order to show our exact plans, location of the windows, doors, etc. We have already made an appointment with an architect for the 2-nd of November.

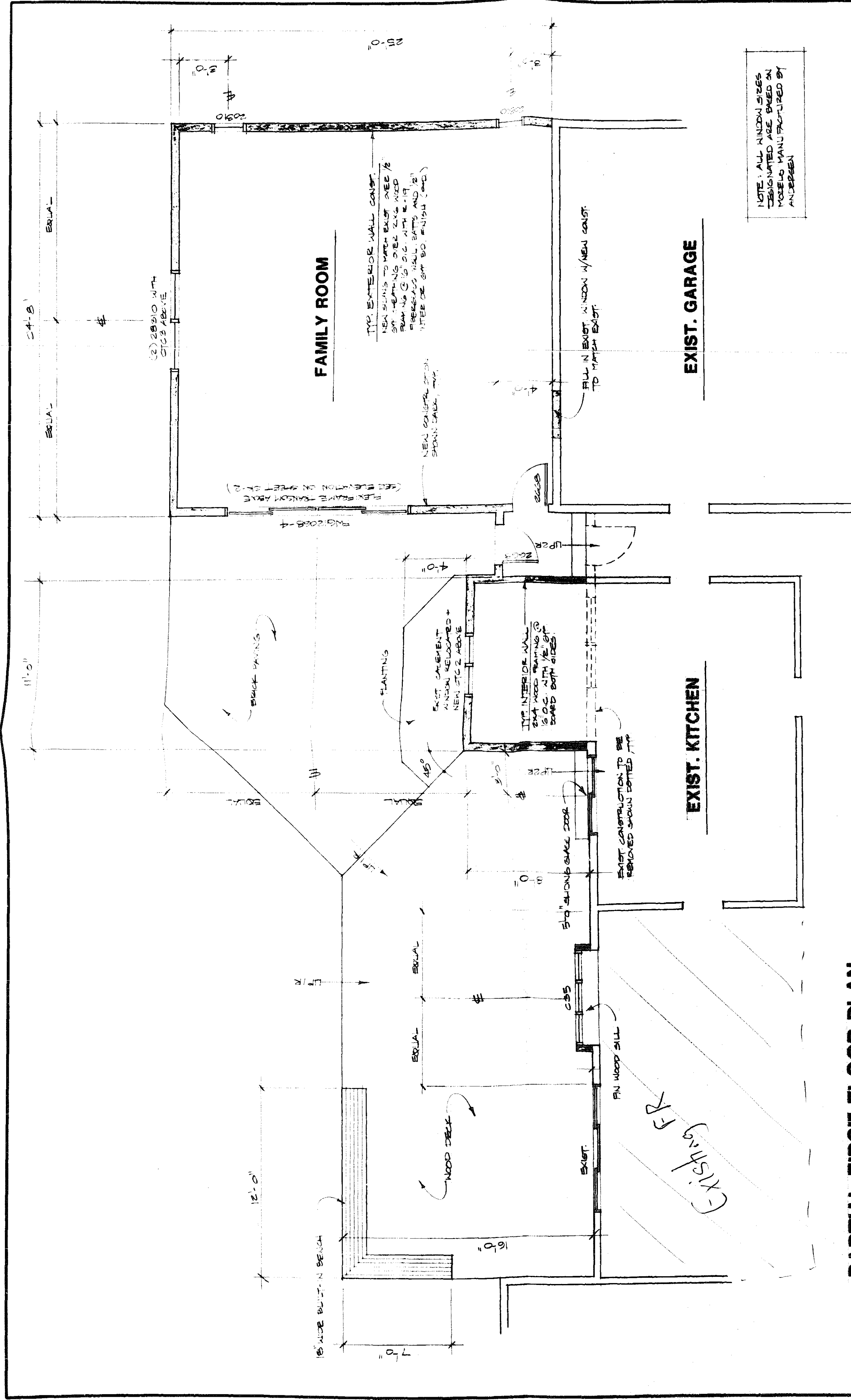
We hope that the review will be based upon sound judgements. Any suggestions by the association shall be considered and, if acceptable (and reasonable) to us shall be implemented.

In the case of disagreements by any of the association members, we will need to know who specifically and on what grounds. The term "they" will not be acceptable. As far as we are concerned, the people who would potentially be affected are our immediate neighbors and we will, obviously, do whatever is logical and necessary to make our improvement as nice looking as possible without "overbuilding".

*Handwritten notes: '137' and '13A NE' are visible on the top right of the exhibit page.*







# PARTIAL FIRST FLOOR PLAN

$$\frac{1}{4}'' = 1' - 0''$$

NOTE: ALL WINDOW SIZES DESIGNATED ARE BASED ON MODELS MANUFACTURED BY ANDERSEN

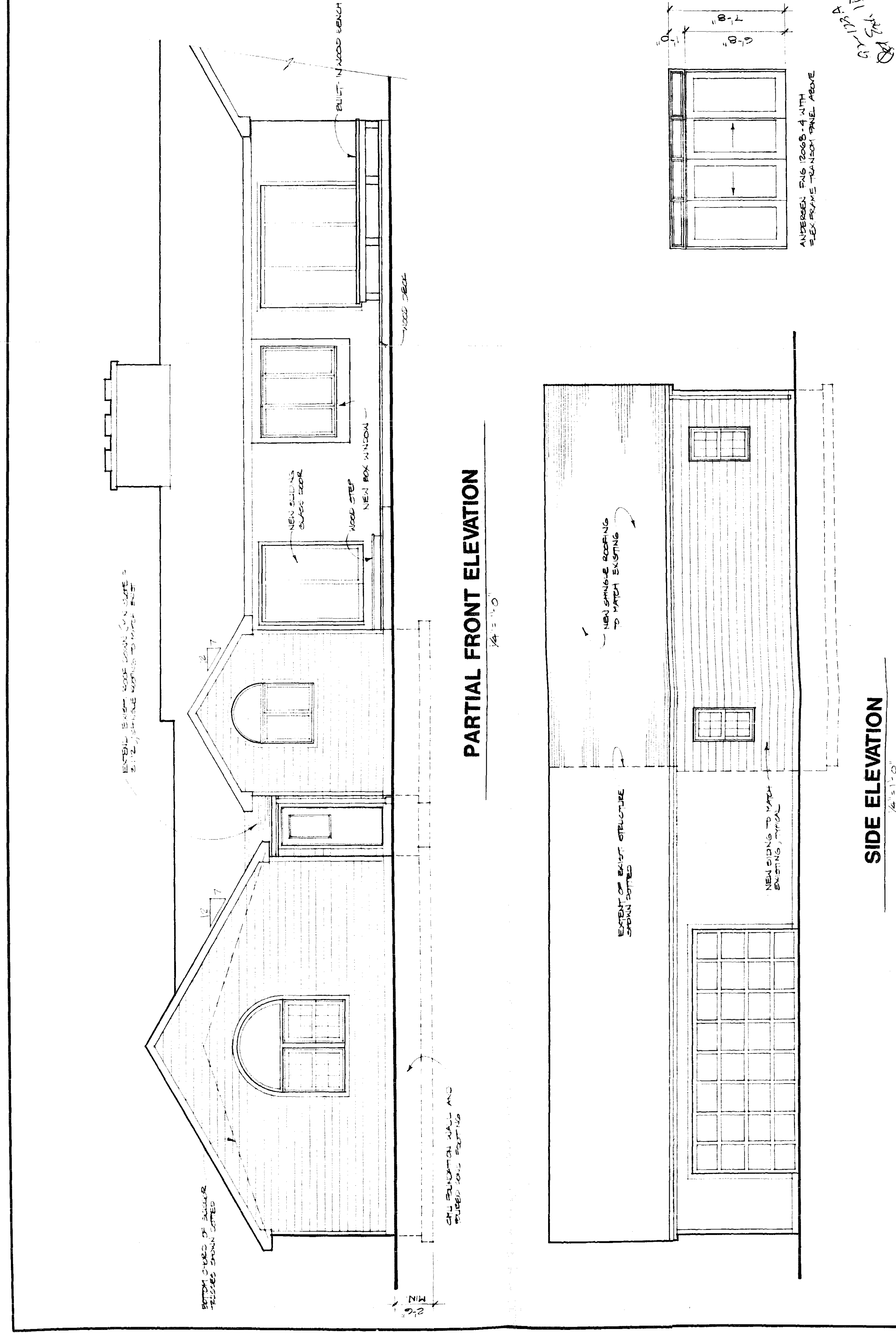
**1818 BLAKEFIELD CIRCLE**  
**Addition & Renovation**

designreach  
A service of HBE + Architects

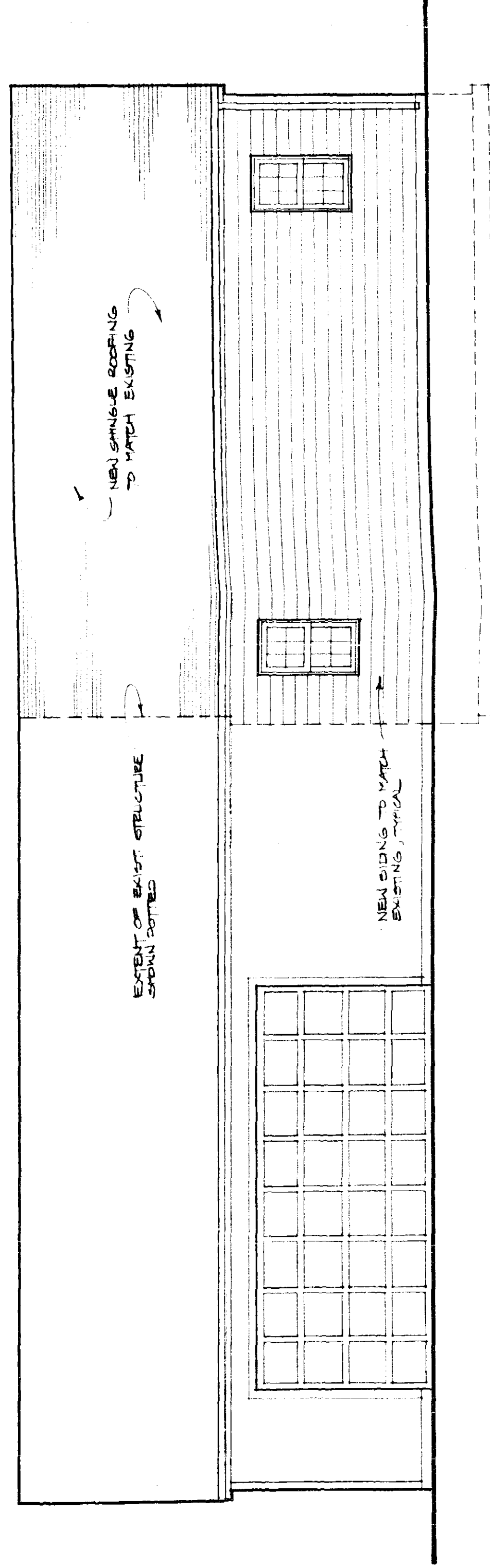
1040 ARCADE  
1777 REISTERSTOWN ROAD  
SUITE 395  
BALTIMORE, MD 21208  
410-436-0253

SK-1

# SCHEMATICS



## PARTIAL FRONT ELEVATION



## SIDE ELEVATION

$$\underline{4'' = 1'-0''}$$

**1818 BLAKEFIELD CIRCLE**  
**Addition & Renovation**

designreach  
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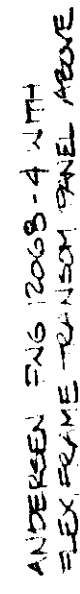
**HBF+ ARCHITECTS**  
1777 REISTERSTOWN ROAD  
SUITE 395  
BALTIMORE, MD 21208  
410-486-0253

5-3-2019  
Baltimore-MD  
2019-03-27

SK-2

## SCHEMATICS





22

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SK-2

# SCHEMATICS

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070000



NOTE: ALL WINDOW SIZES DESIGNATED ARE BASED ON MOLETS MANUFACTURED BY ANDERSEN

22/4/15

designreach  
A service of HBF + Architects

SK-1

16 S. FREDERICK ST.  
BALTIMORE, MD 21202  
(301) 547-2770

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**L**

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